

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Gordon W. Duff, *et al.*  
SERIAL NUMBER: 10/712,882 EXAMINER: Not Yet Assigned  
FILING DATE: November 12, 2003 ART UNIT: Not Yet Assigned  
FOR: DETECTING GENETIC PREDISPOSITION TO SIGHT THREATENING DIABETIC  
RETINOPATHY

Mail Stop Missing Parts  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO NOTICE TO COMPLY WITH REQUIREMENTS  
FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR  
AMINO ACID SEQUENCE DISCLOSURES**

In response to the Notice to Comply with Sequence Listing Requirements, mailed September 10, 2004, in the above-mentioned application, Applicants submit a copy of the Notice to Comply, an initial paper copy of the Sequence Listing, one disk containing computer readable form of sequence listing, a Statement to Support Computer Readable Form, and a Preliminary Amendment.

Applicants believe that no fees are due in connection with this submission. However, the Commissioner is authorized to credit any overpayment or charge any deficiencies to Deposit Account No. 50-0311, Reference No. 24299-506 CON. The Examiner is encouraged to call the undersigned below with any questions or comments related to this filing.

Respectfully submitted,

Dated: October 8, 2004

Ivor R. Elmfi, Reg. No. 39,529  
Attorneys for Applicants  
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Boston, Massachusetts 02111  
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Customer No. 30623

Date of Deposit: October 8, 2004



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## TRANSMITTAL LETTER

Transmitted herewith for filing in the above-identified application are the following documents:

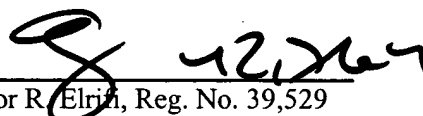
1. Copy of Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or an Amino Acid Sequence Disclosures dated September 10, 2004 (2 pages);
2. Response to Notice to Comply with Requirements for Patent Applications Containing Nucleotide and/or an Amino Acid Sequence Disclosures dated September 10, 2004 (1 page);
3. Paper Copy of the Sequence Listing (3 pages);
4. Computer Readable Form of Sequence Listing (1 disk);
5. Statement to Support of Computer Readable Form (1 page);
6. Preliminary Amendment (3 pgs.); and
7. Return postcard.

If the enclosed papers are considered incomplete, the Mail Room is respectfully requested to contact the undersigned collect at (617) 542-6000, Boston, Massachusetts.

Applicants believe that no additional fees are due in connection with this submission. However, the Commissioner is authorized to credit any overpayment or charge any deficiencies to Deposit Account No. 50-0311, Reference No. 24299-506 CON. A duplicate copy of this Transmittal Letter is enclosed.

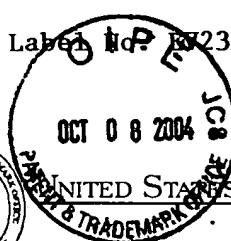
Respectfully submitted,

Dated: October 8, 2004

  
Ivor R. Elrifi, Reg. No. 39,529  
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10-12-04

FW



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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/712,882	11/12/2003	Gordon W. Duff	24299-506 CON

30623

MINTZ, LEVIN, COHN, FERRIS, GLOVSKY  
AND POPEO, P.C.  
ONE FINANCIAL CENTER  
BOSTON, MA 02111

CONFIRMATION NO. 2310

FORMALITIES LETTER



\*OC000000013781324\*

Date Mailed: 09/10/2004

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS  
CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE  
DISCLOSURES**

*Filing Date Granted*

Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file the items indicated below to avoid abandonment. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

- This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 CFR 1.821(c). Applicant must provide an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).

**For questions regarding compliance to these requirements, please contact:**

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or [patin3help@uspto.gov](mailto:patin3help@uspto.gov)

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*

PH.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE